

C.1
D.1
(cont.)

between a safety position for preventing the motor from being turned on and for actuating said braking device and a release position for allowing the motor to be turned on and releasing said braking device, wherein a locking mechanism is arranged for placing said clamping lever in a clamped state in which it is unlocked in the safety position of said safety element (4) and is in a locked state in the release position of said safety element.

REMARKS

Claims 1, 2 and 3 are in the application. Claim 1 has been amended to overcome the claim objection, and to overcome the claim rejection under 35 U.S.C. 112.

Claims 1-3 were rejected under 35 U.S.C. 102 (b) as anticipated by Becht, et al ('000).

BECHT, ET AL 5,094,000

Becht, et al discloses a hand-held power tool with a rotary driven tool.

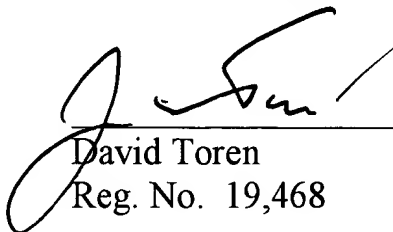
The rejection is based on a hook element 15' engaging in recess 21' and a bolt 47. It is assumed that these parts refer to the applicants' claimed pivotally displaceable clamping lever 12 and the locking mechanism set forth in the last four lines of Claim 1.

The reference does not show a pivotally displaceable clamping lever 12 as set forth in Claim 1. The Office Action does not indicate a pivotally displaceable clamping lever in Becht et al., it merely mentions a hook element (projection) 15' engaging in a recess (cut out) 21' and a bolt 47. There is no pivotally displaceable movement, only movement in the linear direction of the arrow A. There is no description of how these parts effect a locking mechanism as set forth in Claims 1-3.

Therefore, in view of the lack of any disclosure in Becht et al of the tool as set forth in applicant's claims, it is respectfully submitted that the claims are allowable and such allowance is solicited.

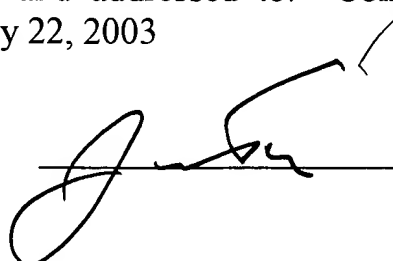
A marked up copy of Claim 1 is attached.

Respectfully submitted,


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CLAIMS

WHAT IS CLAIMED IS

1. An electric power tool, ^{including} such as a hand-held circular saw, ^{and} routing machine and the like, ^{said power tool} having a circular tool motor-driven by an axially extending shaft (1) with the tool clamped by a clamping device actuated by a pivotally displaceable clamping lever (12), a mechanical braking device (2) displaceable between a braking position and a release position, a switching member ⁽³⁾ for turning the motor on and off, a safety element (4) mechanically connected by an ^{activation} (activation) part (5) to said braking device (2) and displaceable between a safety position for preventing the motor from being turned on and for actuating said braking device and a release position for allowing the motor to be turned on and releasing said braking device, wherein a locking mechanism is arranged for placing said clamping lever in a clamped state in which it is unlocked in the safety position of said safety element (4) and is in a locked state in the release position of said safety element.

2. An electric power tool, as set forth in claim 1, wherein said locking mechanism comprises a hook element (11) connected to said braking device (2) whereby with said clamping lever (12) in the clamped state said hook element engages in a recess (13) in said clamping lever (12) and in a locked state said hook element engages at least part of an edge in said recess (13) locking said clamping lever (12) in the clamped state.

3. An electric power tool, as set forth in claim 2, wherein said clamping lever (12) is pivotally displaceable about a bolt (15), and said recess (13) is located at a position spaced laterally from said bolt (15).